

The cost of cable
modem service is too
high for many
households and
underserves rural
and low-income
Americans. As
digital divide
widens Americans
need greater access
to high-speed
networks.

The FCC's Notice of
Proposed Rulemaking
recognizes that new
television
competition is
entering the market.
The Commission asks
if the telephone
companies are
hindered in their
expansion by having
to negotiate
franchises with
local governments
that set the terms
for building cable
television systems.

The most important
issue in the
franchising process
now is how to ensure
that the rights and
services of local
communities are
protected and

enriched. We must start with desired outcomes and work backward to see how the process to deliver them can be improved. Local governments undoubtedly must play a key role in any future franchising process.

Though the franchising process has not been perfect, it has been a critical safeguard to protect the interests of consumers and citizens in local communities. Now that the phone companies are building television systems, local communities are hungry for new competition that could drive down costs, increase options, provide access to local content and bring us closer to bridging the digital divide.

These franchise agreements guarantee that local governments control rights-of-way and obtain fair rents from the companies that dig them up to lay cable. They guarantee universal build-out of the technology and its advantages to every household in the community, not just rich neighborhoods. They guarantee funding and facilities to provide public access television as well as other services like low-cost broadband for our schools and libraries.

As new franchising rules are considered, unpleasant market realities must be taken into account. Independent cable programming is all but invisible, particularly local independent programming.

Vertical and horizontal consolidation among the largest media companies and cable providers guarantees this outcome. We are required to buy channels we don't want or need because the cable operators bundle them together. The quality of customer service often reflects the fact that cable television is not a competitive market. The mere presence of satellite providers does not drive down rates nor present an affordable alternative for broadband access.

In many communities, the only truly independent sources of local news, information and culture come from the public channels produced at community media centers. They are the only way many citizens see local

government in action
and often the only
way residents get
information about
events happening
close to home.

Some towns have been
able to negotiate
for funding to
enhance and expand
these resources.

Others have obtained
wired schools and
libraries, resources
for e-medicine,
government
efficiency programs
and other
educational
initiatives. All use
their negotiating
power to ensure the
entire community is
served.

The risk of
supplying "one size
fits all" franchises
to new providers is
the elimination of
these and other
valuable services
that fulfill
important public
policy aims. There
is surely a need for
new providers of
broadband and video

content to enter existing markets, be they private or public.

However, no matter the level at which 'franchises' to new providers are granted -- local, state, or national -- local communities cannot be cut out of the process. They must be allowed to lend their voice to how new video and broadband systems will be implemented and what features will be available to meet future needs.

As you consider this matter, bear in mind that the very existence of our democracy is at stake. Self government -- local, state, national -- can survive only with a well-informed citizenry, and that is the direct result of access to local, state and national information.